that such other party is married, but must have good reason to believe defendant single. Where plaintiff lived as a domestic in the household of defendant who had for many years lived and cohabited with another woman, in the relation of husband and wife, the plaintiff will be considered to be charged with notice of his marriage to her, and plaintiff's denial of such knowledge, in the light of such facts, is entitled to no consideration, nor can she claim the benefit of an equitable estoppel arising out of his assertions that he was not lawfully married. *Davis* v. *Pryor* (C. C. A.), 112 Fed. 274. The validity of a common law marriage is affirmed in this case.

RAILROADS—MILEAGE BOOKS—ALTERATIONS.—Plaintiff purchased a mileage book, good only for the carriage of persons whose names were entered in it. The name of his daughter was afterwards inserted in the first part of the book without the authority of the railway company. *Held*, that the alteration was material and fraudulent. *Holden* v. *Rutland R. R. Co.* (Vt.), 50 Atl. 1096.

Per Watson, J.:

"When such a ticket is sold, the name of the purchaser is required to be signed to the contract in the back part of the book; and when thus signed, and the ticket is accepted by him, he is bound by the terms of the contract. *Rahilly* v. *Railway Co.*, 66 Minn. 153, 68 N. W. 853; *Krueger* v. *Railway Co.*, 68 Minn. 445, 71 N. W. 683, 64 Am. St. Rep. 487; *Boylon* v. *Railroad Co.*, 132 U. S. 146, 10 Sup. Ct. 50, 33 L. Ed. 290; *Fonseca* v. *Steamship Co.*, 153 Mass. 553, 27 N. E. 665, 12 L. R. A. 340, 25 Am. St. Rep. 660; *Drummond* v. *Southern Pac. Co.*, 7 Utah, 118, 25 Pac. 733."

EASEMENTS—WAY OF NECESSITY.—A way of necessity can be reserved as well as granted by implication, but the mere inconvenience of another route is not sufficient to entitle one to a way of necessity. *Dee* v. *King* (Vt.), 50 Atl. 1109.

Per Munson, J.:

"From Lord Mansfield down there has been authority for the doctrine that a way of necessity would exist, notwithstanding another possible way, if the construction of such other way would involve unreasonable expense as compared with the value of the property. It is said, however, that this view has never gained ground, and that it is held by the weight of authority that mere convenience or usefulness is not sufficient. *Cooper* v. *Maupin*, 35 Am. Dec. 464, note. This court referred to the more liberal rule in *Wisweil* v. *Minogue*, 57 Vt. 616, but without having occasion to consider it. In *Hyde* v. *Town of Jamaica*, 27 Vt. 449, 460, Judge Bennett quotes with approval the statement that 'a way of necessity never exists where a man can get to his own property through his own land, however inconvenient the way through his own land may be.' It is not necessary to inquire whether a way through one's own land must be absolutely impossible. It is clear that mere inconvenience, however great, will not be sufficient. It is necessity, and not convenience, that gives the right. Mr. Washburn considers it settled beyond controversy that no one can claim a way of necessity because of its superior convenience over another way that he has. Washb. Easem. 233."

See 3 Va. Law. Reg. 536.